

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

STEVEN SILGUERO,

Defendant

CR. NO 21-264 WJ

MOTION FOR RECONSIDERATION OF DETENTION ORDER

COMES NOW, Defendant by and through his Court Appointed Counsel, Roberto Albertorio, and respectfully requests that U.S. Magistrate Laura Fashing reconsider her Order of Detention on the above captioned matter. As grounds for this request, Counsel submits as follows:

1. Defendant has been in custody since January 3, 2021.
2. Defendant has been accepted into the Christian Under His Construction inpatient drug rehabilitation program.
3. Defendant has a history of drug addiction which would be better addressed by this program.
4. Defendant has a non-violent history of criminal activity primarily resulting from his use of drugs, including failures to appear. He now understands and accepts responsibility for this history,
5. Counsel has been in constant contact with his client and client's mother and he seems amenable to rehabilitation.

6. Due to the COVID issue, Defendant was not indicted until March 12, 2021 and full discovery has not yet been provided as of March 31, 2021. The government contacted defense counsel and will provide additional discovery within the next week.

7. Counsel has investigation the initial arrest of his client on this matter and there are considerable Fourth Amendment issues which may be dispositive of this case. However the anticipated time which may elapse before a hearing is held may be considerable.

8. Counsel respectfully submits that a placement of his client into the in-patient rehabilitation program will best address his addiction and life long recovery.

9. Defendant understands that he must comply with all of the conditions that may be placed by the Court. Failure to so comply would be grounds for immediate custody.

Respectfully submitted,

I certify that a true copy  
of this Motion was electronically  
filed with the U.S. Attorney's Office  
this April 1, 2021

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Roberto Albertorio

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